



United States Attorney
Southern District of New York

USDS SDNY
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The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 18, 2007

By Facsimile

Honorable Paul A. Crotty
United States District Judge
500 Pearl Street, Room 735
New York, New York 10007

*The next conference
scheduled for 7-19-07,
Time is excluded.*

June 14, 2007
Application **GRANTED** and
SO Ordered

2:30pm

Paul H. Hitt

Re: United States v. Raphael Agbune and Linda Loving,
07 Cr. 395 (PAC)

Dear Judge Crotty:

The Government respectfully submits this letter to request an adjournment in the pre-trial conference scheduled for Wednesday, June 20, 2007, at 2:30 p.m. Defendant Agbune's counsel has submitted a request to the United States Attorney's Office for a deferred prosecution, and that request is currently under consideration. Counsel for defendant Loving is still considering possible a disposition, but will not be prepared to proceed with a disposition by this Wednesday, June 20, 2007.

For these reasons, the Government, and both defense counsel, request a 30-day adjournment of the pre-trial conference to allow the Government and the parties to consider possible dispositions.

If Your Honor does grant an adjournment, then the Government respectfully requests that the Court exclude time from June 20, 2007 ~~until the date set by the Court for the next conference~~, pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(8)(A). The ends of justice served by such continuance outweigh the interest of the public and the defendant in a speedy trial because the continuance will allow both defendants time to review discovery, and have any appropriate discussions regarding a possible disposition of this

MEMO ENDORSED

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case. Counsel for both defendants consent to this request for the exclusion of time.

Respectfully Submitted,

MICHAEL J. GARCIA
United States Attorney

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cc by facsimile:

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